



Recognizing and Reporting Child Abuse

A Guide for Mandated Reporters

To report child abuse in the District of Columbia, call

(202) 671-SAFE



Mission

To promote the safety, permanence, and well- being of children in the District of Columbia through public and private partnerships focused on strengthening families with services that ensure cultural competence, accountability, and professional integrity.

*Child abuse/neglect is . . .
Physical or mental injury, sexual abuse, negligent
maltreatment, or maltreatment of any child under age 18
by a person responsible for the child's welfare under
circumstances that threaten or harm the child's health or
safety.*

Every child has the basic human right to be safe. Abuse and neglect threaten a child's safety, placing him/her at risk of physical and emotional injuries and even death. Your work gives you access to youngsters who may be in trouble. That means you have a critical role to play in child protection. As a *mandated reporter*—**a professional obligated by law to report known or suspected incidents of child abuse or neglect**—you are part of the safety net that protects children and can provide life-saving help to child victims in our community.

This guide will help you fulfill your legal obligations as a mandated reporter. It covers:

- Requirements of the law in the District of Columbia.
- Definitions of child abuse and neglect and how to recognize them.
- When and how to report known or suspected incidents of abuse or neglect.
- Tips on responding to a child's disclosure of abuse.
- How the D.C. Child and Family Services Agency (CFSA) responds to reports of abuse.



(202) 671-SAFE

D.C.'s Child Abuse and Neglect Reporting Law

The first child abuse reporting law was enacted in the District of Columbia in 1973. The current law is in § 4-1301.01 through 4-1321.07 and S16-2301 of the D.C. Code, which was amended in 2002 to broaden and clarify the definitions of child abuse and neglect. The following summary highlights key points that all mandated reporters need to know.

Reporting Protects Children and Helps Families

The primary intent of the reporting law is to **protect the child**. Reporting suspected or known abuse of one child may open the door to protecting other children in the home. Providing **help to parents** is also important. Reporting child abuse can be a catalyst for positive change so the whole family can overcome a crisis and children can be safe. However, when the home environment presents a high risk to the child, CFSA may remove the child, with court review and approval, until the parents can resolve their difficulties and protect the child themselves. There are also times when CFSA will remove to protect the child's safety and then go to court. When parents are unwilling or unable to resolve their difficulties and protect the child themselves, the court can terminate their rights and make the child available for adoption.



Early Warning Starts with You

Under the D.C. Code §4-1321.02, the following professionals are mandated reporters:

- Chiropractors
- Day care workers
- Dentists
- Law enforcement officers
- Licensed Practical Nurses
- Medical examiners
- Mental health professionals
- Persons involved in care/treatment of patients
- Physicians
- Psychologists
- Registered nurses
- School officials
- Social services workers
- Teachers

Definitions and Signs of Child Abuse

The law defines child abuse as:

- Physical abuse
- Neglect
- Sexual abuse
- Emotional maltreatment

Child abuse can occur in any family or setting, regardless of socio-economic status, religion, education, ethnic background, or other factors.

Children react differently to being abused. While no single reaction can be clearly associated with child abuse, a number of behaviors are consistently correlated with abuse. The presence of any of the signs in **Tables 1 through 4** does not automatically indicate the child is being abused but should prompt you to **look more closely**.

Table 1: Physical and Mental Abuse

A physical injury or mental injury, sexual abuse or exploitation, and negligent treatment or maltreatment inflicted by other than accidental means on a child by another person, failure to protect from abuse

Abuse Defined As:

- “Physical Injury” means bodily harm greater than transient pain or temporary marks
- “Mental Injury” means harm to child’s psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal, outwardly aggressive behaviors, or a combination that demonstrates a change in behavior, emotional response, or cognition

Examples of Abuse Include:

- Burning, Biting, or Cutting
- Striking a child with a closed fist
- Inflicting injury by shaking, kicking or throwing the child
- Nonaccidental injury of a child of 18 months
- Interfering with a child’s breathing
- Threatening a child with a dangerous weapon (i.e., firearm, knife, or any other prohibited weapon)

Physical Signs:

- Bruises
- Burns
- Bite marks
- Abrasions (scrapes)
- Lacerations
- Head injuries
- Fractures
- Unexplained injuries

Behavioral Signs:

The child . . .

- Is frightened or overprotective of parent(s)/caregiver(s)
- Is excessively passive, overly compliant, apathetic, withdrawn or fearful—or excessively aggressive destructive or physically violent
- Attempts to hide injuries; wears excessive layers of clothing, especially in hot weather; is often absent; will not change clothing for swimming
- Has difficulty sitting or walking
- Is frightened of going home.
- Is clingy and forms indiscriminate attachments.
- Is apprehensive when other children cry.
- Is wary of physical contact with adults.
- Exhibits drastic behavioral changes in and out of parental/caregiver presence.
- Is watchful and alert to danger.
- Suffers from seizures or vomiting.
- Exhibits depression, self-mutilation, substance abuse, suicide attempts or sleeping or eating disorders.

Additional Signs:

- Child says an injury was caused by abuse. (Caution: Chronically abused children may deny abuse.)
- Unexplained injuries—for example, parent/caregiver is unable to explain an injury, discrepancies in explanation, blame is placed on a third party, explanations are inconsistent with common sense.
- Parent/caregiver does not take child to a doctor.

Table 2: Potential Indicators of Neglect

Note: The indicators listed are examples of factors that potentially constitute neglect, but the factors do not automatically mean that neglect is present.

Definitions:

- Abandoned, abused or left with unwilling caretakers and parent or guardian has failed to make reasonable efforts to prevent the infliction of abuse upon the child.
- The child is without parental care or control, subsistence, education as required by law, or other care or control necessary for physical, mental, or emotional health and the deprivation is not due to lack of financial means
- Whose parent, guardian or custodian is unable to discharge parenting responsibilities because of incarceration, hospitalization, or other physical or mental incapacity
- Whose parent, guardian, or custodian refuses or is unable to assume the responsibility for the child's care, control, or subsistence and the person or institution which is providing for the child states the intention to discontinue such care
- In imminent danger of being abused and another child living in the same household or under the care of the same parent, guardian, or custodian has been abused
- Received negligent treatment or maltreatment from the parent, guardian or custodian
- Resided in the hospital for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge and parent, guardian, or custodian has not taken any action to maintain contact with the child
- Is born addicted or dependent on a controlled substance or has significant presence of a controlled substance in his or her system at birth; or who is regularly exposed to illegal drug activity, or in whose body there is a controlled substance as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian, or custodian

Indicators:

- Not getting adequate medical/dental care.
 - Often sleepy or hungry.
 - Often dirty, demonstrates poor personal hygiene, or is inadequately dressed for the activity or weather conditions.
 - Malnourished. (Parent/caregiver does not send lunch with child.)
 - Depressed, withdrawn, or apathetic; exhibits antisocial or destructive behavior; shows fearfulness; suffers from speech, eating, or habit disorders (biting, rocking, whining, etc.).
"Reasonable efforts" includes filing for a civil protection order from intra-family violence
 - A child who is treated only by prayer of an accredited practitioner of a recognized religious denomination would not for that reason alone automatically be considered neglected. However, the parent or caregiver of that child could still be charged with neglect on other grounds (including medical neglect) if factors indicate that neglect is present.
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Table 3: Sexual Abuse

Engaging in, or attempting to engage in, a sexual act or sexual contact with a child; or causing or attempting to cause a child to engage in sexually explicit conduct; or exposing a child to sexually explicit conduct.

Sexually explicit conduct = sexual act, sexual contact, bestiality, masturbation, or lascivious exhibition of the genitals, anus, or pubic area, child pornography

Physical Signs:

The child has . . .

- Bruising around genital area.
- Swelling or discharge from vagina or penis.
- Tearing around genital area, including rectum.
- Visible lesions around mouth or genitals.
- Lower abdominal pain.
- Painful urination or defecation.
- Sexually transmitted diseases.

Behavioral Signs:

The child . . .

- Exhibits sexualized behavior (precocious knowledge of explicit sexual behavior, engages self or others in overt or repetitive sexual behavior.)
 - Is hostile or aggressive.
 - Is fearful or withdrawn.
 - Is self-destructive (self-mutilates).
 - Seems mature beyond chronological age.
 - Has an eating disorder.
 - Is a substance abuser.
 - Runs away.
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Table 4: Parental/Caregiver Indicators

The parent/caregiver . . .

- Is unable to meet child's basic needs and provide a safe environment.
 - Reports homicidal thoughts/feelings toward child.
 - Reports using belts, clothes hangers, electrical cords, or other objects to discipline the child.
 - Is unable to describe the child's positive characteristics.
 - Has unrealistic expectations for the child.
 - Uses out-of-control discipline.
 - Is unduly harsh or rigid about child rearing.
 - Singles out one child as "bad," "evil," or "beyond control."
 - Berates, humiliates, or belittles the child frequently.
 - Turns to child to have his/her own needs met.
 - Is impulsive and unable to use internal controls.
 - Cannot see child realistically, attributes badness to child, or misinterprets child's normal behavior.
 - Is indifferent to the child.
 - promoting prostitution of minors
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Your Rights, Responsibilities, and Liabilities

Immunity:

Individuals, hospitals, and institutions that report child abuse in good faith have immunity from both civil and criminal suits that might otherwise flow from making the report.

Individual Responsibility:

Reporting is your individual responsibility. By law, no supervisor or administrator may interfere with your obligation to report. You also cannot be excused from reporting by relying on a supervisor or administrator to make the report for you.

Liability:

As a mandated reporter, willful failure to report makes you liable for a fine of up to \$100 and/or imprisonment up to 30 days. CFSA refers violations of the reporting law to the Corporation Counsel for prosecution.

When to Report

By law, you **must** report when, in your professional capacity or within the scope of your employment, you **know or reasonably suspect** that an infant, child, or teen has been abused or is in immediate danger of being abused. You must report **immediately**.

Your workplace may have its own policy about reporting, such as notifying a designated person in your organization who is responsible for calling CFSA. However, by law, it is your individual responsibility to ensure that a report is made to CFSA. If you find no one has called CFSA, you must do so yourself.

How to Report

**Call the D.C. Child and Family Services
Agency 24-hour child abuse reporting
hotline at:
(202) 671-SAFE (7233).**

This line is staffed by trained professionals around the clock.

Be prepared to provide as much of the following information as possible:

- Name, gender, age, and address of (1) the child who is the subject of the report, (2) the child's siblings (if any), and (3) the child's parent(s) or caretaker(s).
- The nature and extent of the abuse and any previous abuse, if known.
- Anything that may shed light on the cause and circumstances of the abuse and the identity of the perpetrator.

By law, you must identify yourself, your occupation and how CFSA can contact you. You must also describe any actions you have taken concerning the child.

Responding to a Child's Disclosure

Because your response to a child who discloses abuse can be helpful or unintentionally hurtful, how you react is critical.

DO:

- Express your belief that the child is telling the truth.
- Use the child's vocabulary.
- Praise the child for telling what happened.
- Reassure the child that what happened is not his/her fault.
- Respect the child's privacy by not discussing the disclosure with people not directly involved in the investigation/case.
- Tell the child what to expect. If you do not know, say so—but let the child know she/he has your support.
- Report the disclosure immediately to CFSA at (202) 671-SAFE.



DO NOT:

- Express panic, shock, or dismay at the disclosure.
- Make the child repeat his/her disclosure to others.
- Promise not to tell anyone.
- Push the child to speculate beyond the facts he/she knows.
- Investigate the situation in advance of CFSA.

CFSA Procedures for Taking and Investigating Reports of Child Abuse

When you call CFSA's hotline to report, our goals are to:

- Determine whether the allegation meets the legal definitions of abuse or neglect.
- Ensure the safety of children involved.
- Provide helping services to families.

When a report does not meet the legal definitions of abuse or neglect but the family needs help, CFSA professionals who staff the hotline will refer the family to community services.

When a report does meet the legal definitions of abuse or neglect, CFSA must initiate an investigation within 24 hours. A CFSA professional will investigate alone or in conjunction with the Metropolitan Police Department to determine next steps. (CFSA involves the MPD when it may be necessary to arrest perpetrators and/or press charges against them.)

Depending on the CFSA investigator's assessment of the situation, he/she will either find the allegation of abuse/neglect as substantiated, unfounded, or inconclusive.

- If the allegation is substantiated, the child may remain at home with agency and community services to ensure his/her safety. However, if the risk to the child is high, CFSA may remove the child to a safe setting.
- If the allegation is unfounded or inconclusive, CFSA may refer the family to community services, depending on their needs.

Feedback to Mandated Reporters

CFSA will send you a letter stating whether or not we are investigating your report. The letter will include the

investigator's name and telephone number so you can call with additional information. However, confidentiality laws preclude CFSA from providing you with information about the case.

Help to Protect Our Children

Abuse and neglect place children at great risk of physical and emotional injuries and even death. As a mandated reporter, you must help.

- **Know the signs of child abuse and neglect.**
- **When children have the courage to disclose abuse or neglect to you, take them seriously.**
- **When you suspect or know of incidents of child abuse or neglect, call CFSA at (202) 671-SAFE.**
- **You are responsible for calling CFSA yourself.**

You are an essential part of the safety net that protects children and can provide life-saving help to child victims in our community. Please take this important legal responsibility seriously. ■

The flyer on the next page can serve as a handy reminder of when and how to report child abuse and neglect in the District of Columbia.

- Copy and distribute it to your staff.
- Post copies near telephones and on bulletin boards.
- Share copies with others concerned about child abuse and neglect.



Report Child Abuse and Neglect Promptly!

Report **immediately** when you **know or reasonably suspect** that an infant, child, or teen has been abused.

Reporting is your **individual responsibility**.



To report, call the
**D.C. Child and Family
Services Agency**
24 hours a day at:

(202) 671-SAFE
(202) 671-7233

Together, we are the safety net

for children and families.

